

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

HEATHER MYER, o/b/o KWC,

Plaintiff,

-v-

1:14-CV-883
(DNH/DEP)

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

APPEARANCES:

OF COUNSEL:

OFFICE OF PETER M. MARGOLIUS
Attorney for Plaintiff
7 Howard Street
Catskill, NY 12414

PETER M. MARGOLIUS, ESQ.

OFFICE OF REGIONAL GENERAL
COUNSEL

MONIKA K. CRAWFORD, ESQ.

Attorneys for Defendant
Social Security Administration
Region II
26 Federal Plaza, Room 3904
New York, NY 10278

DAVID N. HURD
United States District Judge

DECISION and ORDER

Plaintiff Heather Myer, on behalf of K.W.C., a minor, filed this action seeking judicial review of a final decision of the Commissioner of Social Security denying her application for Supplemental Security Income benefits under the Social Security Act. By Report-Recommendation dated December 15, 2014, the Honorable David E. Peebles, United States

Magistrate Judge, recommended that the Commissioner's motion to dismiss the complaint based on plaintiff's failure to timely commence this action within the sixty-day time period prescribed by law be granted. No objections to the Report-Recommendation were filed.

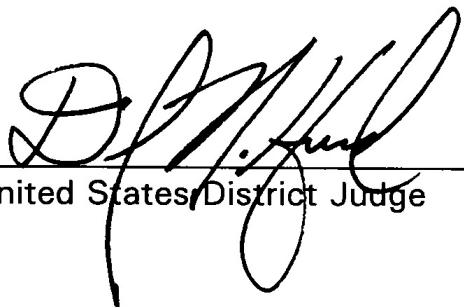
Based upon a careful review of the entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. § 636(b)(1).

Therefore, it is

ORDERED that

1. The Commissioner's motion to dismiss is GRANTED; and
2. Plaintiff's complaint is DISMISSED.

IT IS SO ORDERED.


United States District Judge

Dated: January 15, 2015
Utica, New York.